

Form B

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA

JUDICIAL PERFORMANCE SURVEY

HON.: _____

DATE: _____

The United States Bankruptcy Court for the Central District of California is in the process of conducting a survey to assess its level of judicial performance. This survey is part of an ongoing commitment toward providing the highest level of public service possible.

Please complete this questionnaire. The responses will be compiled, analyzed and reported to the judiciary.

PART I - INFORMATION ABOUT THE RESPONDENT

1. _____ Male _____ Female

2. Age:

_____ 20 - 30 _____ 31 - 40 _____ 41 - 50
_____ 51 - 60 _____ 61 - 70 _____ 71 +

3. Number of years experience as an attorney:

_____ 1 - 10 _____ 11 - 20 _____ 21 - 30
_____ 31 - 40 _____ 41 +

4. Number of years experience as a bankruptcy attorney:

_____ 1 - 10 _____ 11 - 20 _____ 21 - 30
_____ 31 - 40 _____ 41 +

5. Type of practice:

_____ Private firm _____ Government _____ In-house Corporation

6. Firm Size (Number of Attorneys):

<input type="text"/> 0 - 50	<input type="text"/> 51 - 100	<input type="text"/> 101 - 150
<input type="text"/> 151 - 200	<input type="text"/> 201 - 250	<input type="text"/> 250 +

7. What type of client do you usually represent?

<input type="text"/> Debtor	<input type="text"/> Creditor	<input type="text"/> Trustee
<input type="text"/> Creditors' Committee		<input type="text"/> Other

8. What percentage of your time is concentrated in the field of bankruptcy law?

<input type="text"/> Less than 10%	<input type="text"/> 11% to 25%	<input type="text"/> 26% to 50%
<input type="text"/> 51% to 75%	<input type="text"/> 76% to 100%	

9. On what types of cases do you normally appear before the Court?

<input type="text"/> Chapter 7	<input type="text"/> Chapter 11	<input type="text"/> Chapter 13
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10. What is the approximate number of bankruptcy cases in which you have appeared before this judge?

<input type="text"/> None	<input type="text"/> 1 to 10	<input type="text"/> 11 to 20
<input type="text"/> 21 to 50	<input type="text"/> More than 50	

11. In approximately how many contested motions or adversary proceedings have you participated before this judge?

<input type="text"/> None	<input type="text"/> 1 to 10	<input type="text"/> 11 to 20
<input type="text"/> 21 to 50	<input type="text"/> More than 50	

12. In approximately how many trials have you participated before this judge?

<input type="text"/> None	<input type="text"/> 1 to 10	<input type="text"/> 11 to 20
<input type="text"/> 21 to 50	<input type="text"/> More than 50	

13. If you make appearances on behalf of other lawyers, what percent of you practice involves appearances on behalf of other attorneys?

<input type="text"/> 0%	<input type="text"/> 1% to 10%	<input type="text"/> 11% to 20%
<input type="text"/> 21% to 50%	<input type="text"/> More than 50%	

14. In the last 90 days, approximately how many times have you appeared before this judge?

_____ None	_____ 1 to 10	_____ 11 to 25
_____ 26 to 50	_____ More than 50	

15. In the last year, approximately how many times have you appeared before this judge?

_____ None	_____ 1 to 25	_____ 26 to 50
_____ 51 to 75	_____ More than 75	

PART II - YOUR ASSESSMENT OF THE JUDGE'S PERFORMANCE

1. The Judge's rulings are not influenced by the identity of the lawyers involved.

_____ Strongly Agree	_____ Mildly Agree	_____ No Opinion
_____ Strongly Disagree	_____ Mildly Disagree	

2. The judge's rulings are not influenced by the identity of the parties involved.

_____ Strongly Agree	_____ Mildly Agree	_____ No Opinion
_____ Strongly Disagree	_____ Mildly Disagree	

3. The judge's rulings are free from any predisposition to decide for a particular party.

_____ Strongly Agree	_____ Mildly Agree	_____ No Opinion
_____ Strongly Disagree	_____ Mildly Disagree	

4. The judge's rulings display a bias based on sex.

_____ Strongly Agree	_____ Mildly Agree	_____ No Opinion
_____ Strongly Disagree	_____ Mildly Disagree	

5. The judge's rulings display a bias based on race or ethnicity.

_____ Strongly Agree	_____ Mildly Agree	_____ No Opinion
_____ Strongly Disagree	_____ Mildly Disagree	

6. The judge's rulings are not influenced by political or other personal beliefs.

_____ Strongly Agree	_____ Mildly Agree	_____ No Opinion
_____ Strongly Disagree	_____ Mildly Disagree	

7. The judge's rulings reflect an ability to apply the law despite prospects of personal unpopularity, notoriety, or unjust criticism.

_____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

8. The judge is perceived as fairly balanced between debtors and creditors.

_____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

9. The judge's rulings display a bias concerning classes of parties (e.g., consumer debtors, trustees, landlords, finance companies, banks, secured creditors, tax agencies, etc.).

_____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

10. The judge conducts court proceedings with appropriate fairness.

_____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

11. The judge is courteous toward lawyers and litigants.

_____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

12. The judge is courteous toward parties who are not represented by counsel.

_____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

13. The judge gives due consideration to the convenience of lawyers and litigants in scheduling proceedings.

_____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

14. The judge ensures steady progress on a case.

_____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

15. The judge decides cases with reasonable promptness.
- _____ Strongly Agree _____ Mildly Agree _____ No Opinion
 _____ Strongly Disagree _____ Mildly Disagree
16. The judge successfully balances the need to move cases to conclusion with the parties' right to a full and fair hearing.
- _____ Strongly Agree _____ Mildly Agree _____ No Opinion
 _____ Strongly Disagree _____ Mildly Disagree
17. Do you feel that the judge interferes with your role in questioning witnesses? If so, please explain your answer in the space provided after question 54.
- _____ Strongly Agree _____ Mildly Agree _____ No Opinion
 _____ Strongly Disagree _____ Mildly Disagree
18. The judge refrains from deciding the outcome of a case prematurely.
- _____ Strongly Agree _____ Mildly Agree _____ No Opinion
 _____ Strongly Disagree _____ Mildly Disagree
19. The judge understands the issues in ordinary cases.
- _____ Strongly Agree _____ Mildly Agree _____ No Opinion
 _____ Strongly Disagree _____ Mildly Disagree
20. The judge understands the issues in complex cases.
- _____ Strongly Agree _____ Mildly Agree _____ No Opinion
 _____ Strongly Disagree _____ Mildly Disagree
21. The judge displays the ability to understand complex business and real estate transactions.
- _____ Strongly Agree _____ Mildly Agree _____ No Opinion
 _____ Strongly Disagree _____ Mildly Disagree
22. The judge's oral rulings are informed decisions based on authority, substantively sound, and clearly expressed.
- _____ Strongly Agree _____ Mildly Agree _____ No Opinion
 _____ Strongly Disagree _____ Mildly Disagree

23. The judge's written rulings are informed decisions based on authority, substantively sound, and clearly expressed.

_____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

24. The judge's rulings reflect a knowledge and application of the Federal Rules of Bankruptcy Procedure.

_____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

25. The judge's rulings reflect a knowledge and application of the Federal Rules of Evidence.

_____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

26. The judge's rulings reflect a knowledge and application of non-bankruptcy substantive law.

_____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

27. The judge's rulings reflect a knowledge and application of bankruptcy law.

_____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

28. The judge's rulings reflect a familiarity with current legal developments.

_____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

29. The judge displays an effective approach to the settlement and resolution of pretrial disputes.

_____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

30. The judge maintains effective procedures for reaffirmation hearings.

_____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

31. The judge rules promptly on pretrial motions.

<input type="checkbox"/> Strongly Agree	<input type="checkbox"/> Mildly Agree	<input type="checkbox"/> No Opinion
<input type="checkbox"/> Strongly Disagree	<input type="checkbox"/> Mildly Disagree	

32. The judge rules promptly on motions.

<input type="checkbox"/> Strongly Agree	<input type="checkbox"/> Mildly Agree	<input type="checkbox"/> No Opinion
<input type="checkbox"/> Strongly Disagree	<input type="checkbox"/> Mildly Disagree	

33. The judge's rulings are decisive.

<input type="checkbox"/> Strongly Agree	<input type="checkbox"/> Mildly Agree	<input type="checkbox"/> No Opinion
<input type="checkbox"/> Strongly Disagree	<input type="checkbox"/> Mildly Disagree	

34. The judge promptly sets trial dates.

<input type="checkbox"/> Strongly Agree	<input type="checkbox"/> Mildly Agree	<input type="checkbox"/> No Opinion
<input type="checkbox"/> Strongly Disagree	<input type="checkbox"/> Mildly Disagree	

35. The judge renders prompt decisions on submitted matters.

<input type="checkbox"/> Strongly Agree	<input type="checkbox"/> Mildly Agree	<input type="checkbox"/> No Opinion
<input type="checkbox"/> Strongly Disagree	<input type="checkbox"/> Mildly Disagree	

36. The judge takes too many matters under submission.

<input type="checkbox"/> Strongly Agree	<input type="checkbox"/> Mildly Agree	<input type="checkbox"/> No Opinion
<input type="checkbox"/> Strongly Disagree	<input type="checkbox"/> Mildly Disagree	

37. Does the judge use the Court Mediation Program? (Check all that apply.)

<input type="checkbox"/> Does Not Use	<input type="checkbox"/> Uses Too Often	<input type="checkbox"/> Uses Too Infrequently
<input type="checkbox"/> Uses Appropriately	<input type="checkbox"/> Uses Too Soon	<input type="checkbox"/> Uses Too Late

38. Does the judge enforce the responsibilities of the Debtor in Possession?

<input type="checkbox"/> Does Not Enforce	<input type="checkbox"/> Enforces Too Strictly
<input type="checkbox"/> Enforces Appropriately	<input type="checkbox"/> Enforces Too Leniently

39. Does the judge use a status conference to manage Chapter 11 cases?

_____ Uses effectively

_____ Does Not Use

_____ Uses ineffectively

If you feel that the use of a status conference is either burdensome or valuable, please explain your answer in the space provided after question 54.

40. Does the judge use any other procedures to manage Chapter 11 cases?

_____ Yes

_____ No

If yes, please list those other procedures in the space provided after question 54.

41. The judge deals effectively with cases involving bankruptcy fraud.

_____ Strongly Agree

_____ Mildly Agree

_____ No Opinion

_____ Strongly Disagree

_____ Mildly Disagree

42. The judge deals effectively with cases involving bad faith.

_____ Strongly Agree

_____ Mildly Agree

_____ No Opinion

_____ Strongly Disagree

_____ Mildly Disagree

43. The judge handles the Chapter 13 confirmation calendar effectively.

_____ Strongly Agree

_____ Mildly Agree

_____ No Opinion

_____ Strongly Disagree

_____ Mildly Disagree

_____ Not Applicable

If you do not feel that the judge handles the Chapter 13 confirmation calendar effectively, please use the space provided after question 54 to explain what procedure you feel would work better.

44. Does the judge enforce the local rules?

_____ Does Not Enforce

_____ Enforces Too Strictly

_____ Enforces Appropriately

_____ Enforces Too Leniently

45. Does the judge enforce his or her own version of the local rules?

_____ Does Not Enforce

_____ Enforces Too Strictly

_____ Enforces Appropriately

_____ Enforces Too Leniently

_____ Not Applicable

46. Is the calendar convenient as set?

_____ Convenient

_____ Not convenient

If you feel the calendar is not convenient as set, please use the space provided following question 54 to explain what changes you would like to see.

47. The judge convenes court punctually.

_____ Strongly Agree

_____ Mildly Agree

_____ No Opinion

_____ Strongly Disagree

_____ Mildly Disagree

48. The judge's hearings reflect adequate research and preparation.

_____ Strongly Agree

_____ Mildly Agree

_____ No Opinion

_____ Strongly Disagree

_____ Mildly Disagree

49. The judge deals with emergency matters fairly and expeditiously.

_____ Strongly Agree

_____ Mildly Agree

_____ No Opinion

_____ Strongly Disagree

_____ Mildly Disagree

50. The judge awards fees to trustees that are fair and reasonable.

_____ Strongly Agree

_____ Mildly Agree

_____ No Opinion

_____ Strongly Disagree

_____ Mildly Disagree

51. The judge awards fees to attorneys that are fair and reasonable.

_____ Strongly Agree

_____ Mildly Agree

_____ No Opinion

_____ Strongly Disagree

_____ Mildly Disagree

52. The judge awards reimbursement of costs to professionals that are fair and reasonable.

_____ Strongly Agree

_____ Mildly Agree

_____ No Opinion

_____ Strongly Disagree

_____ Mildly Disagree

53. The judge refrains from ex parte communications regarding contested matters.

_____ Strongly Agree

_____ Mildly Agree

_____ No Opinion

_____ Strongly Disagree

_____ Mildly Disagree

-
- This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

The Law Clerk provides legal assistance to the judge in the form of legal research and drafting of legal opinions.

- _____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

-
-
-
-
-
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The Courtroom Deputy maintains the bankruptcy judge's courtroom calendar. This person also communicates with attorneys, trustees, debtors, and the public regarding the calendar schedule.

3. The Courtroom Deputy is usually polite and helpful.

_____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

4. The Courtroom Deputy maintains the calendar in an organized, easily understood fashion.

_____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

5. The Courtroom Deputy responds to calendar scheduling inquiries promptly.

_____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

6. The Courtroom Deputy maintains a calendaring system which accommodates the needs of the lawyers.

_____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

7. The Courtroom Deputy maintains a calendaring system which accommodates the needs of the litigants.

_____ Strongly Agree _____ Mildly Agree _____ No Opinion
_____ Strongly Disagree _____ Mildly Disagree

8. If you have any comments regarding the Courtroom Deputy for this judge, please use the following space:

The Judicial Assistant provides administrative and secretarial support in the form of preparing correspondence, scheduling appointments, screening calls and visitors, etc.

9. The Judicial Assistant is usually polite and helpful.

_____ Strongly Agree	_____ Mildly Agree	_____ No Opinion
_____ Strongly Disagree	_____ Mildly Disagree	_____ Not Applicable

10. If you have any comments regarding the Judicial Assistant for this judge, please use the following space:

The Court Recorder maintains the audio tapes as official records of court proceedings, as well as responding to written requests for transcripts.

11. The Court Recorder is usually polite and helpful.

_____ Strongly Agree	_____ Mildly Agree	_____ No Opinion
_____ Strongly Disagree	_____ Mildly Disagree	

12. The Court Recorder fill requests for transcripts promptly and efficiently.

_____ Strongly Agree	_____ Mildly Agree	_____ No Opinion
_____ Strongly Disagree	_____ Mildly Disagree	

13. If you have any comments regarding the Court Recorder for this judge, please use the following space:

PART IV - SERVICES YOU WOULD LIKE TO SEE IMPLEMENTED

1. Would you like to have tentative rulings available through PACER (Public Access to Court Electronic Records) and/or BRASS (Bankruptcy Remote Access Server System)?

_____ Yes _____ No _____ No Opinion

2. Would you like to see the Court use the World Wide Web? In what way?

3. Would you like to see the Court use E-mail? How?

4. Would you like to have electronic calendar access?

_____ Yes _____ No _____ No Opinion

5. Would you like to have the Court use Imaging?

_____ Yes _____ No _____ No Opinion

6. Would you like to have the Court conduct hearings via video conferencing?

_____ Yes _____ No _____ No Opinion

7. Would you like to have the Court conduct hearings via telephonic conferencing?

_____ Yes _____ No _____ No Opinion

8. Are there any other innovative practices that you would like the Court to implement?

PART V - ADDITIONAL INFORMATION AND COMMENTS

1. Please summarize those areas in which you regard the judge as particularly strong.

2. Please identify the areas you feel the judge should develop.

3. If you have any additional comments or suggestions, please use the space below.
